

United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MARCELYN MOORE

v.

C.R. BARD INCORPORATED et al.

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CIVIL ACTION NO. 3:20-CV-1518-S

SCHEDULING ORDER

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure (“FRCP”), the Local Civil Rules of the United States District Court for the Northern District of Texas (“LR”), and the Civil Justice Expense and Delay Reduction Plan of the United States District Court for the Northern District of Texas (the “Plan”), the Court ORDERS as follows:

1. This case is set for **jury** trial on the Court’s three-week docket beginning **June 27, 2022** (the “Trial Setting”). Trial may commence any time during this three-week docket. If the case is not reached at this setting, it will be reset after considering input from the parties. Reset or continuance of the Trial Setting does not alter the deadlines in this Order unless expressly provided by court order.

2. Unless otherwise indicated, the parties may by written agreement alter the deadlines in this paragraph without the need for court order. No continuance of the Trial Setting, motion deadline, or the final pretrial conference will be granted due to agreed extensions of these deadlines. Motions may become moot due to trial if filed after the deadlines in this Order. Deadlines are as follows:

- a. 26 weeks before trial – Motions for leave to join additional parties;
- b. 26 weeks before trial – Motions for leave to amend pleadings;
- c. 25 weeks before trial – Disclosure of experts for the party with burden of proof;

- d. 21 weeks before trial – Disclosure of opposing experts;
- e. 19 weeks before trial – Disclosure of rebuttal experts;
- f. 12 weeks before trial – Discovery closes; discovery requests must be commenced in time to permit response by this date;
- g. 17 weeks before trial – All motions, including any objections to expert testimony. This deadline must be at least 120 days before trial. Parties may not alter this deadline for dispositive motions or objections to/motions to strike expert testimony.

3. A motion or objection to the taking of a deposition that is filed within five business days of the notice has the effect of staying the deposition pending court order on the motion or objection; otherwise the deposition will not be stayed except by court order.

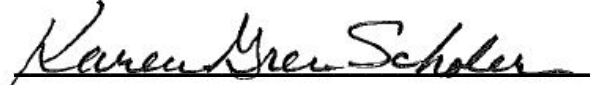
4. The parties shall file all pretrial materials 30 days before the Trial Setting. Failure to timely file pretrial materials may result in dismissal for want of prosecution. Pretrial materials shall include the following:

- a. Pretrial order pursuant to LR 16.4;
- b. Exhibit lists, witness lists, and deposition designations pursuant to LR 26.2 and FRCP 26(a)(3). Witness lists should include a brief summary of the substance of anticipated testimony (not just a designation of subject area) and the likelihood of testimony at trial. Exhibit lists must include any materials to be shown to the jury, including demonstrative aids;
- c. Proposed jury charge or proposed findings of fact and conclusions of law. Such documents shall be both e-filed and emailed in “Word” format to Scholar.Orders@txnd.uscourts.gov. Any objections to the proposed jury charge shall be filed no later than 5 days before the final pretrial conference. Objections not so disclosed are waived unless excused by the Court for good cause;
- d. Motions in limine;
- e. Requested voir dire questions.

5. The pretrial conference shall be held on **June 3, 2022, at 1:00 p.m.** Lead counsel must attend. The parties shall be prepared to address all exhibits, witnesses, deposition excerpts, motions in limine, trial briefs, requested voir dire questions, and any objections to such filings. The Court expects the parties to have conferred and reach agreement where possible prior to the final trial conference. The parties shall bring their proposed exhibits labeled as required by LR 26.2(a).

SO ORDERED.

SIGNED October 27, 2020.


KAREN GREN SCHOLER
UNITED STATES DISTRICT JUDGE